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Rule: 36.12.101

Rule Title: DEFINITIONS

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 Department: NATURAL RESOURCES AND CONSERVATION
 Chapter: WATER RIGHTS BUREAU
 Subchapter: Montana Water Use Act
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Latest version of the adopted rule presented in Administrative Rules of Montana (ARM):

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36.12.101 DEFINITIONS

Unless the context requires otherwise, to aid in the implementation of the Montana Water Use Act and as used in these rules:

- (1) "Act" means the Montana Water Use Act, Title 85, chapter 2, parts, 1 through 4, MCA.
- (2) "Amount" refers to both a flow rate in gallons per minute (gpm), or cubic feet per second (cfs), and a volume of water in acre-feet (af).
- (3) "Animal unit month (AUM)" means a measurement of livestock numbers:
 - (a) one beef cow = 1 AUM
 - (b) one dairy cow = 1.5 AUM
 - (c) one horse = 1.5 AUM
 - (d) three pigs = 1 AUM
 - (e) five sheep = 1 AUM
 - (f) 300 chickens = 1 AUM
- (4) "Applicant" means the "person", as defined in 85-2-102, MCA, who files a permit or change application with the department.
- (5) "Application" for purposes of ARM 36.12.120 through 36.12.122, 36.12.1301, 36.12.1401, 36.12.1501, and 36.12.1601 means an application for beneficial water use permit, Form No. 600, or an application to change a water right, Form No. 606.
 - (a) For the purposes of ARM 36.12.117 "application" means an application filed under 85-2-302, 85-2-316, 85-2-402, 85-2-407, and 85-2-408, MCA.
- (6) "Appropriation right" means any right to the use of water which would be protected under the law as it existed prior to July 1, 1973, and any right to the use of water obtained in compliance with the provisions and requirements of the act.
- (7) "Associated right" means multiple water rights filed by the same or different appropriators that share the same point of diversion, place of use, or place of storage.
- (8) "Basin closure area" means a hydrologic drainage basin area within which applications for certain water use permits cannot be accepted. Basin closure areas can be designated by statute, administrative rule, or in compacts.
- (9) "Certificate of survey number" means the official number given a parcel of land created by a registered land survey as filed with the county clerk and recorder.
- (10) "Cfs" means a flow rate of water in cubic feet per second and is equivalent to 448.8 gallons per minute. Applications for a flow rate of less than one cfs will be converted to gallons per minute.
- (11) "Change authorization" or "change" means an approval by the department to make a change in appropriation right as defined by 85-2-102, MCA, and allowed by 85-2-402, MCA.
- (12) "Claim" means a statement of claim filed pursuant to 85-2-221, MCA, for a water right established prior to July 1, 1973.
- (13) "Combined appropriation" means an appropriation of water from the same source aquifer by two or more groundwater developments, that are physically manifold into the same system.
- (14) "Cone of depression" means a cone-shaped depression of water table or pressure surface developing around a pumping well.
- (15) "Consumptive use" means the annual volume of water used for a beneficial purpose, such as water transpired by growing vegetation, evaporated from soils or water surfaces, or incorporated into products that does not return to ground or surface water.
- (16) "Controlled groundwater area" means an area that has additional management controls



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